
DIGEST

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HB 585 Original

2018 Regular Session

Stokes

Abstract: Provides relative to establishments selling low and high alcoholic content beverages, prohibits certain nude and semi-nude activities at permitted establishments, and provides for the inclusion of certain issues in the Louisiana Responsible Vendor Program relating to human trafficking.

Present law provides for the permitting requirements for establishments selling beverages of high and low alcoholic content.

Present law authorizes live entertainment in any licensed premises, but prohibits performance of acts, or simulation of acts, of:

- (1) Sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation, or any sexual acts which are prohibited by law.
- (2) The touching, caressing or fondling of the breast, buttocks, anus, or genitals.
- (3) The displaying of the pubic hair, anus, vulva, genitals, or nipple of the female breast.

Proposed law retains the present law prohibition on the permittee from allowing any person to engage in sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation, or any sexual acts which are prohibited by law, but removes the prohibition of touching, caressing or fondling of the breast, buttocks, anus, or genitals, or the displaying of the pubic hair, anus, vulva, genitals, or nipple of the female breast.

Present law further provides that entertainers whose breasts or buttocks are exposed to view shall perform only upon a stage at least 18 inches above the immediate floor level and removed at least three feet from the nearest patron, and requires such entertainers to be 21 years of age or older.

Proposed law prohibits any permittee from allowing any person to appear in a semi-nude condition upon the licensed premises unless the person is 21 years of age or older.

Proposed law provides definitions for "semi-nude" and "fully opaque covering".

Present law prohibits persons from using artificial devices or inanimate objects to depict any of the prohibited activities provided in present law.

Proposed law deletes present law but prohibits persons from appearing upon the licensed premises in a state of nudity, and defines "nudity" as the showing of the pubic hair, anus, vulva, or genitals.

Present law provides a list of acts or conduct on licensed premises which are deemed to constitute lewd, immoral, or improper entertainment, and prohibits permits for the sale of high and low alcohol for premises where such conduct or acts are permitted.

Proposed law amends present law to provide that the provisions of proposed law only apply to licensed premises that regularly offer live performances or other conduct involving nudity or semi-nudity, and shall not apply to performances by burlesque dancers who are scheduled or hired to perform for a live audience.

Proposed law provides a definition for "human trafficking guardian".

Present law provides for the approval of a Louisiana Responsible Vendor Program, designed to educate vendors and their employees and customers about selling, serving, and consuming alcoholic beverages in a responsible manner and selling and serving tobacco products.

Proposed law retains present law and provides for the program to include issues related to the problem, identification, and reporting of potential or actual victims of human trafficking and available prevention and assistance services.

Proposed law specifies that the server training courses include issues related to human trafficking and techniques to identify and report suspected human trafficking.

Proposed law requires the commissioner to notify permit holders of known illegal activity and to provide notice to the owner to cure the illegal activity.

(Amends R.S. 26:90(D)-(G), R.S. 26:286(D)-(G), and R.S. 26:933(B)(intro. para.); Adds R.S. 26:932(11), 933(C)(9), and 935(D))